



# LOS ANGELES COUNTY COMMISSION ON HIV

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*While not required of meeting participants, signing-in constitutes public notice of attendance. Presence at meetings is recorded solely based on sign-in sheets, and not signing-in constitutes absence for Commission members. Only members of the Commission on HIV are accorded voting privileges, thus Commissioners who have not signed in cannot vote. Sign-in sheets are available upon request.*

## JOINT PUBLIC POLICY (JPP) COMMITTEE MEETING MINUTES May 19, 2010

**Approved**  
**7/21/2010**

MEMBERS PRESENT	MEMBERS ABSENT	PUBLIC	HIV EPI AND OAPP STAFF	COMM STAFF/CONSULTANTS
Whitney Engeran-Cordova, <i>Co-Chair</i>	Carrie Broadus	Aaron Fox	Elizabeth Escobedo	Jane Nachazel
Lee Kochems, <i>Co-Chair</i>	Jim Chud	Miki Jackson		Craig Vincent-Jones
Kyle Baker	Ron Osorio	Michael Johnson		Nicole Werner
Jeffrey Goodman	Chris Villa	Jason Wise		
Stephen Simon	Juan Rivera			
	Kathy Watt			

### CONTENTS OF COMMITTEE PACKET

- 1) **Agenda:** Joint Public Policy (JPP) Committee Agenda, 5/19/2010
- 2) **Minutes:** Joint Public Policy (JPP) Committee Meeting Minutes, 2/17/2010
- 3) **Minutes:** Joint Public Policy (JPP) Committee Meeting Minutes, 3/17/2010
- 4) **Legislation:** AB 1262: Strickland: Ethics in government, 2/27/2009
- 5) **Legislation:** AB 2590: Lowenthal: Medi-Cal: disease management programs: HIV/AIDS: disclosure of information: contractors, 2/19/2010
- 6) **Legislation:** AB 2762: Committee on Housing and Development: Housing and community development: housing omnibus bill, 2/23/2010

1. **CALL TO ORDER:** Mr. Engeran-Cordova called the meeting to order at 2:10 pm.
2. **APPROVAL OF AGENDA:**  
**MOTION #1:** Approve the Agenda Order, as presented (*Postponed*).
3. **APPROVAL OF MEETING MINUTES:**  
**MOTION #2:** Approve the Joint Public Policy (JPP) Committee Meeting Minutes, as presented (*Postponed*).
4. **PUBLIC COMMENT, NON-AGENDIZED:** There were no comments.
5. **COMMITTEE COMMENT, NON-AGENDIZED:** There were no comments.
6. **CO-CHAIRS' REPORT:** There was no report.
7. **COMMITTEE MEMBERSHIP:**  
A. **Co-Chair Elections:** Elections were postponed.
8. **STATE BUDGET:**  
A. **AIDS Drugs Assistance Program (ADAP):**
  - Mr. Baker noted the Governor's Budget released in January 2010 added over \$80 million to existing State General Funds for ADAP. The amount was based on the best estimate of funding required to keep ADAP whole.
  - The May Revision cuts funds some \$30 million based on a reduced estimate. The State Office of AIDS (OA) website has estimate development information including an improved process and the effect of a pricing lawsuit.

- Mr. Simon reported the LGBT Advisory Council to the Sheriff met with the Sheriff Department on HIV issues especially elimination of ADAP for jails. The Sheriff's Department felt the question was whether it had a mechanism to bill for ADAP as county public health departments do. The City can provide a letter of support for jails to receive ADAP if useful. Mr. Baker said much of the question resolves around whether counties should be the "payer of last resort."
- Mr. Baker noted meetings are planned later in the year to cut drugs from the formulary. He added the Special Rebate Fund has historically been used to backfill funding shortfalls, but is now too small to rely on for that purpose.
- Mr. Goodman reported Medi-Cal has proposed limiting drugs to six drugs per month. There is an exemption for "life-saving" drugs, but those are not defined and may not include ARVs.

**B. Strategy for Budget 2011:**

- Mr. Engeran-Cordova felt Medi-Cal was a good advocacy subject as the goal would be to maintain, rather than restore, coverage. In addition, several proposals are being discussed to improve Medi-Cal efficiency.
- Mr. Vincent-Jones questioned OA's funding methodology. Mr. Baker noted the formula uses appropriate elements to indicate need, but then applies arbitrary caps which reflect a preference to defund jurisdictions with other funding.
- Mr. Engeran-Cordova said a key question is whether OA has the legislative right to do as it pleases. Mr. Vincent-Jones said Federal legislation requires community input. The methodology was developed when the California Planning Group (CPG) was minimally active and not consulted, so the methodology is not necessarily appropriate and can be questioned.
- ➡ Budget Strategy Work Group to address advocacy issues will meet after completion of the Budget Brief in about a week. Members are: Julie Cross, Mr. Engeran-Cordova, Mr. Fox, Mr. Goodman, Mr. Kochems and Mr. Simon.
- ➡ Mr. Vincent-Jones will draft a letter on the loss of Single Allocation Model funds including how need is determined.

**C. Surveillance:**

- Mr. Vincent-Jones noted \$1 million was cut from OA surveillance studies. Mr. Baker added the \$214,000 cut to the County reflects the end of three years of supplemental funds. He said Mario Pérez, Director, Office of AIDS Programs and Policy (OAPP), had pointed out to Michelle Roland, Chief, OA, that the County contributes the largest proportion of HIV cases to California's data, but she felt small and medium jurisdictions with no funding need to be improved.
- Mr. Baker reported OA recently released a surveillance report that shows the County now has a couple thousand fewer cases than it did under code-based estimated reporting in 2005 – a contradiction of Dr. Roland's claim of a mature system.
- Mr. Vincent-Jones noted the OA administrative budget was not cut. He expressed concern about use of the funds.
- Mr. Baker reported Dr. Jonathan Fielding, Director, Public Health, did not want to send the Committee's letter in response to the LAO report as a first step. He preferred a redraft as four or five talking points with recommended solutions. He will personally discuss that with Dr. Mark Horton, Director, California Department of Public Health with other steps to follow based on the result.
- ➡ The Ad Hoc Surveillance Committee will hold a conference call next week after Mr. Vincent-Jones redrafts the letter on surveillance issues including the key concern about implementation and to some extent funding. Members are: Mr. Baker, Ms. Cross, Nettie DeAugustine, Mr. Engeran-Cordova, Mr. Fox, Mr. Goodman, Mr. Kochems and Ms. Watt.

**D. Other Cuts:** There was no additional discussion.

**9. LEGISLATION:**

**A. Federal:**

- Mr. Vincent-Jones said staff had not finished compiling information, but there are likely few differences from last year.
- ➡ Mr. Baker will forward the OAPP Federal legislation matrix to staff.

**B. State:**

1. **AB 1262: Taxation:** The bill has been changed and is no longer relevant.
2. **AB 2590: AIDS Testing:**
  - Mr. Engeran-Cordova, AHF, said AHF had had a disease management contract with the State to help people maintain health and reduce adverse events, but the State gave insufficient information to accurately contact potential clients. The bill addresses that, but with a key revision to require the State obtains consent for release of information.
  - Mr. Baker reported it was last amended 4/25/2010. It went on suspense 5/12/2010 in the Appropriations Committee.
  - Mr. Goodman favored the bill as managed care saves scarce funds through improved health. He hoped more providers would join in that effort. He added the private market routinely offers such services.

- Mr. Johnson felt additional privacy revisions were needed since consumers do not always understand “opt-in” options. PWH face more stigma than those with other conditions. They can feel overwhelmed and fearful of disclosure. He felt Medi-Cal should contact potential clients directly to advise them of managed care options.
  - Ms. Jackson felt care was nothing more important to clients. Excessive privacy concern can delay it especially since those in the continuum of care already receive related mail at home and often medications as well.
  - Several noted the revision to require informed consent assuaged their earlier concerns with the bill.
  - Only one Commissioner objected while most of the Committee and public agreed.
  - ➡ Recommend Executive Committee support AB 2590. (In lieu of motion due to lack of quorum.)
3. **AB 2762: Housing and Community Development:**
- Mr. Simon said the City will likely support the bill which exempts domestic violence housing address disclosure.
  - Mr. Vincent-Jones noted Commission’s Chief Executive Office recommendations must pertain to HIV.
  - ➡ Maintain “Watch” ranking in the event the bill is changed to become more relevant to PWH.

10. **HIV SURVEILLANCE:** There was no additional discussion.

11. **CORRECTIONS:** Carlos Vega-Matos, OAPP, will report on meetings with the Sheriff’s Department at the next JPP meeting. Mr. Pérez has requested a follow-up on deliverables that were identified at the first meeting.

12. **PREVENTION:** Ms. Escobedo reported the PPC is continuing to work on its restructuring. Mr. Osario and Ms. Watt remain the current official PPC representatives to JPP. Terry Smith, PPC Co-Chair, also plans to attend whenever possible.

13. **PUBLIC BENEFITS:** This item was postponed.

14. **HEALTH CARE REFORM:**

- ➡ Discuss development of City-County co-hosted community forum to provide HIV stakeholder input for Herb Schultz, newly appointed Director, Health and Human Services, Region IX.

15. **CALIFORNIA CENTER FOR HIV/AIDS POLICY RESEARCH:**

- The next Policy Research Advisory Committee (PRAC) meeting will be 6/16/2010 at UCLA.
- The Southern PRAC has contracted to do research on: 1. ADAP advocacy to result in a series of briefs on structure; and 2. surveillance issues in developing a mature registry including best practices from other states.

16. **HIV/STD CONTROL IN THE ADULT FILM INDUSTRY:**

- Mr. Engeran-Cordova reported Cal-OSHA will begin hearings to revise adult film industry standards at the end of June 2010.
- AHF has filed complaints with the State against licensed talent agencies which send performers to sets where unsafe acts occur. Locally, AHF has suggested County ordinance revision to designate an adult film site as a commercial sex venue.
- Ms. Jackson noted film companies need a Film LA permit with time, place and subject for insurance. The City and County contract with the Film Board to issue permits, so they can be used to monitor sites with fees offsetting monitoring costs.
- Mr. Engeran-Cordova felt new developments and higher visibility warrant a second hearing. The first was educational as the subject was new. A second hearing could address developments and was likely to spur better industry participation.
- Mr. Vincent-Jones felt a hearing could help secure an author for the County-supported State legislation. Other legislation work will not develop until October or November. The minimal cost would be about \$1,000.
- ➡ Schedule September 2010 hearing. Mr. Engeran-Cordova, Mr. Kochems, Mr. Vincent-Jones and Ms. Werner will develop.

17. **FEDERAL ISSUES:** This item was postponed.

18. **WORK PLAN:** This item was postponed.

19. **ANNOUNCEMENTS:**

- Mr. Fox said at a recent budget forum in Reseda the audience voted to increase taxes on corporations and the wealthy.
- Mr. Engeran-Cordon reported on AHF’s Test American initiative.
- Mr. Goodman noted “Brothers and Sisters”, ABC, discussed testing and introduced a 70-year-old character with HIV. The episode explores generational differences in the perception of testing. It can be viewed at [www.ABC.com](http://www.ABC.com).

20. **ADJOURNMENT:** The meeting adjourned at 4:10 pm.